

10/678,850

REMARKS

Enclose are two new Declaration and Power of Attorney forms, one signed by each inventor, which request that all further correspondence concerning this application be directed to the undersigned. Please also use the new docket number, namely NITROF P56AUS (formerly SOCOMEC-1), for this file.

The present Response is submitted in reply to the Official Action of October 6, 2004.

The Examiner objected to the Abstract of the Specification as using legal phrasing from the claims, objects to the Drawings because Figs. 1A and 1B should be designated by the legend "Prior Art", and objects to the claims as indefinite due to grammatical and idiomatic errors probably arising from the translation of the Application into English.

In response, the drawings are amended per the attached Submission to overcome the Examiner's objections thereto. New formal drawings, incorporating the requested amendments, will be also enclosed. The Applicant accordingly respectfully requests that the Examiner reconsider and withdraw all objections to the Drawings. If any further amendment to the drawings of this application is believed necessary, the Examiner is invited to contact the undersigned representative of the Applicant to discuss the same.

The Applicant also responded to the Examiner's objections to the Abstract of the Disclosure by entering a new Abstract. The Applicant accordingly respectfully requests that the Examiner reconsider and withdraw all objections to the Abstract. If any further amendment to the Abstract is believed necessary, the Examiner is invited to contact the undersigned to discuss the proposed change(s) to the same.

The Applicant also considered the Examiner's objections to the claims, and accordingly amended the claims to meet and overcome the grounds for the objections to the claims. In response, the Applicant amended the claims as submitted herein above to meet and address the Examiner's general and specific grounds for objection to the claims, and has done so without introducing new matter or extending or modifying the subject matter or scope of the

claims. The Applicant accordingly respectfully requests that the Examiner reconsider and withdraw all objections to the claims.

Lastly, the Examiner rejects claims 1, 3 and 5-9, under 35 U.S.C. § 102(b), as anticipated by Geebelen et al. '156 and rejects claims 1-4, under 35 U.S.C. § 102(b), as anticipated by Jacobs et al. '372.. The Applicant acknowledges and respectfully traverses both of the raised anticipatory rejections in view of the following remarks.

First considering the present invention, the present invention as recited in the claims is directed to an electrical apparatus that is mountable on a frame and that allows both lateral and rear connections to the electrical terminals of the apparatus through connecting tabs to the electrical terminals. For this purpose, and as recited, for example, in claim 1, the connecting tabs are arranged for connection to the electrical terminals through mounting and connecting segments in such a way that the connecting tabs are removable and such that the connecting tabs can be connected to the electrical terminals so as to be oriented in a lateral or rear position with respect to the electrical apparatus.

Also for this purpose, the electrical terminals have mounting zones forming an angle α generally equal to 45° with a rear wall of the casing (20) and the connecting tabs form an angle β generally equal to 135° with their mounting segments.

In addition, and also for this purpose, the casing of the electrical apparatus has at least one lateral opening and at least one rear opening in a lateral wall and in a rear wall of the casing to form a passage in the lateral and rear directions for the connecting tabs.

Now considering the teachings of the prior art cited by the Examiner, Geebelen et al. '156 describes an electrical distribution device having several permanently fixed connecting lips which extend in the four main directions of a plane.

The present invention as recited in the claims is thereby in fundamental contrast from the teachings of Geebelen et al. '156 for a number of basic reasons. For example, in the present invention the connecting tabs can be moved between two main positions, one extending to the rear and one extending laterally. In complete contrast from the present

invention, the connecting lips of the Geebelen et al. '156 device are permanently fixed into position and are not moveable or adjustable in any way. In addition, the connecting lips of the Geebelen et al. '156 device extend only in a lateral plane with respect to the distribution device, and in complete contrast from the present invention, do not and cannot extend in a rearward direction.

In fundamental contrast from the teachings of Geebelen et al. '156, therefore, and as recited in the claims, in the present invention the connecting tabs can be moved to be placed in either of two positions, one in which a connecting tab extends laterally and one in which a connecting tab extends to the rear, thereby allowing a selection between lateral and rearward connections.

It is therefore the belief and position of the Applicant that the present invention as recited in the claims as amended herein above is fully and patentably distinguished over and from the teachings and suggestions of Geebelen et al. '156 under the requirements and provisions of both 35 U.S.C. § 102 and 35 U.S.C. § 103. Thus, the raised rejection in view of Geebelen et al. '156 should be withdrawn at this time.

Next considering Jacobs et al. '372, Jacobs et al. '372 describes a double connector having four fixed parallel connecting tabs extending only to the rear and allowing connections only to the rear.

The present invention as recited in the claims is thereby in fundamental contrast from the teachings of Jacobs et al. '372 for a number of basic reasons. For example, in the present invention the connecting tabs can be moved between two main positions, one extending to the rear and one extending laterally. In complete contrast from the present invention, the connecting tabs of the Jacobs et al. '372 device are permanently fixed into position and are not moveable or adjustable in any way. In addition, the connecting tabs of the Jacobs et al. '372 device extend only in the rearward direction with respect to the distribution device, and in complete contrast from the present invention, do not and cannot extend in a lateral direction.

In fundamental contrast from the teachings of Jacobs et al. '372, therefore, and as recited in the claims, in the present invention the connecting tabs can be moved to be placed in either of two positions, one in which a connecting tab extends laterally and one in which a connecting tab extends to the rear, thereby allowing a selection between lateral and rearward connections.

It is therefore the belief and position of the Applicant that the present invention as recited in the claims as amended herein above is fully and patentably distinguished over and from the teachings and suggestions of Jacobs et al. '372 under the requirements and provisions of both 35 U.S.C. § 102 and 35 U.S.C. § 103. Thus, the raised rejection in view of Jacobs et al. '372 should be withdrawn at this time.

It must also be noted that for the same reasons a combination of the teachings of Geebelen et al. '156 and Jacobs et al. '372 does not and cannot teach or suggest the present invention, as recited in the amended claims, under the requirements and provisions of either of 35 U.S.C. § 102 or 35 U.S.C. § 103. That is, both Geebelen et al. '156 and Jacobs et al. '372 teach and suggest only an electrical device of connector having permanently fixed connector tabs or lips that extend in only one direction, that is, in the lateral direction in Geebelen et al. '156 and in the rearward direction in Jacobs et al. '372. Therefore, neither of Geebelen et al. '156 nor Jacobs et al. '372 in any way teaches or suggests an electrical device having moveable connecting tabs that can be moved or placed in either of two positions, one in which a connecting tab extends laterally and one in which a connecting tab extends to the rear, thereby allowing a selection between lateral and rearward connections.

It is therefore the belief and position of the Applicant that the present invention as recited in the claims as amended herein above is fully and patentably distinguished over and from the teachings and suggestions of a combination of Geebelen et al. '156 and Jacobs et al. '372 under the requirements and provisions of both 35 U.S.C. § 102 and 35 U.S.C. § 103. Also the combination of the teachings described in these patents does not allow an ordinary person

skilled in the art to obtain the invention because the solution is not suggested by either reference nor a combination of these references.

The Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejections of the claims as amended herein above under either 35 U.S.C. § 102 or 35 U.S.C. § 103 over Geebelen et al. '156 and over Jacobs et al. '372 and over any combination of Geebelen et al. '156 and Jacobs et al. '372, and allow the claims as amended herein above.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Geebelen et al. '156 and/or Jacobs et al. '372 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

10/678,850

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Bujold", is written over the typed name and contact information.

Michael J. Bujold, Reg. No. 32,018

Customer No. 020210

Davis & Bujold, P.L.L.C.

Fourth Floor

500 North Commercial Street

Manchester NH 03101-1151

Telephone 603-624-9220

Facsimile 603-624-9229

E-mail: patent@davisandbujold.com

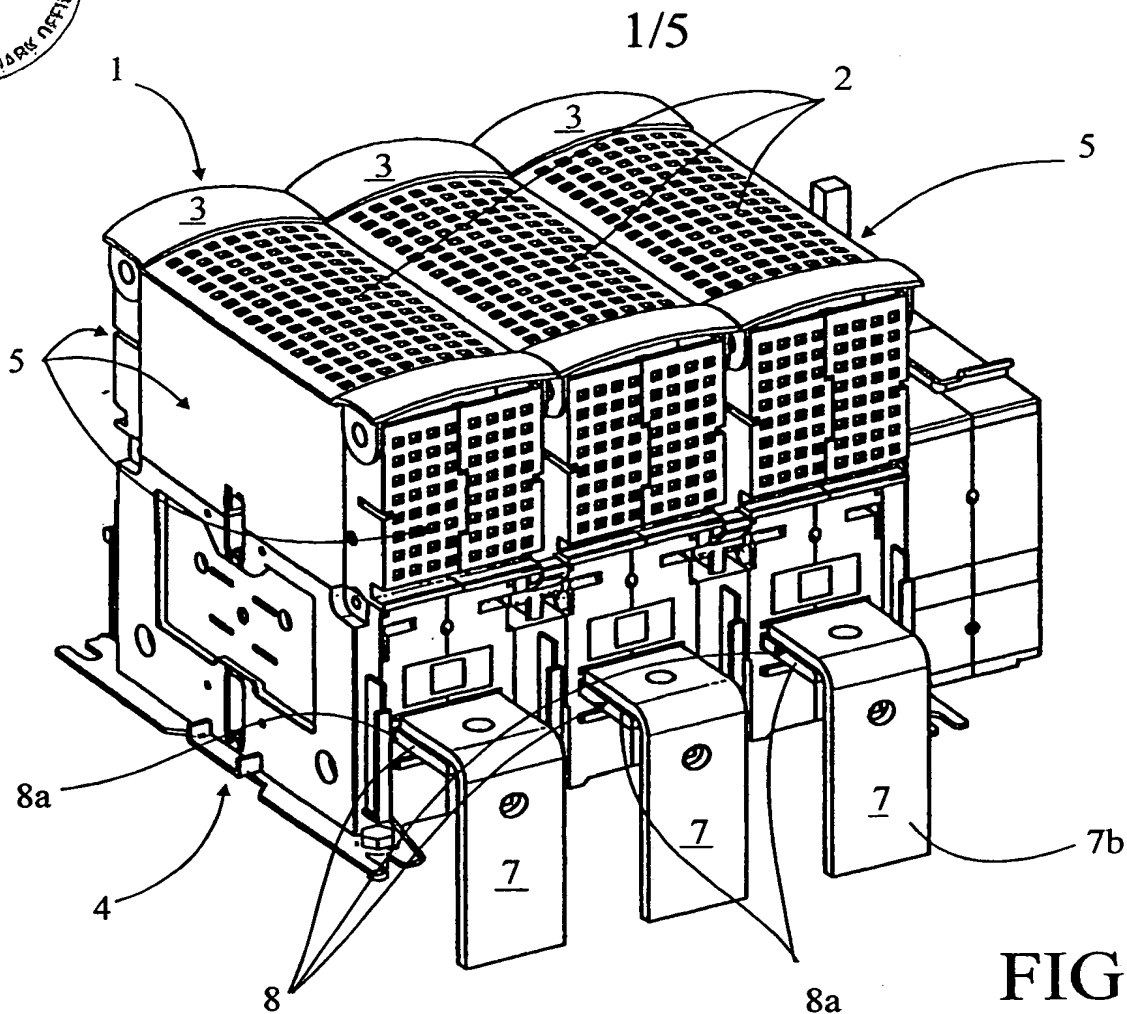


FIG. 1A
PRIOR ART

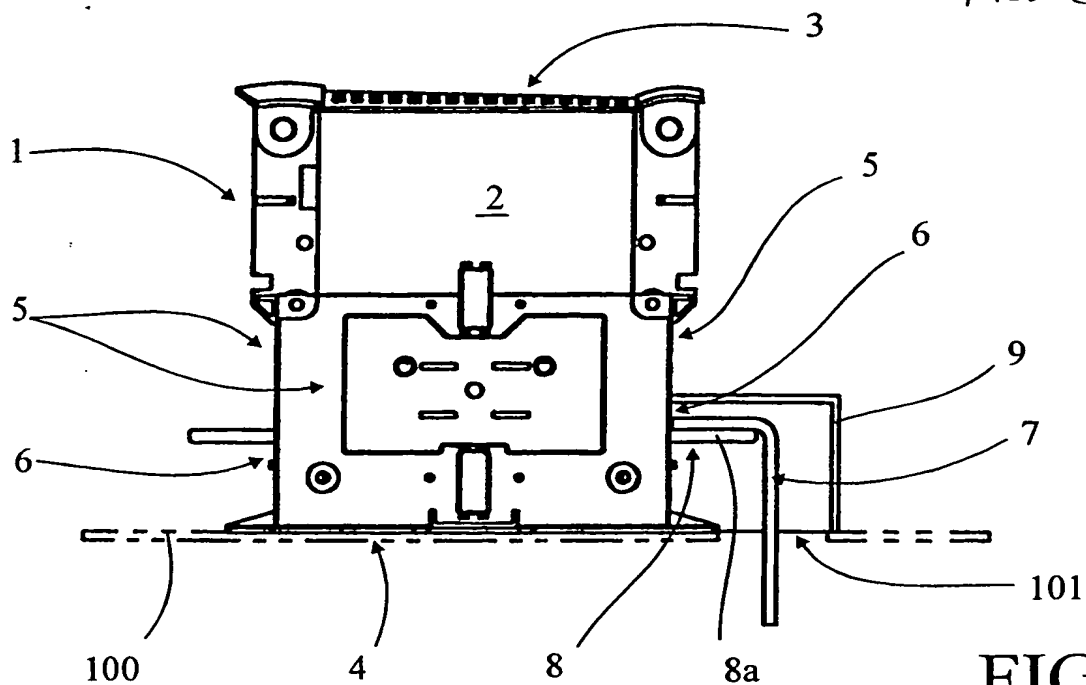


FIG. 1B
PRIOR ART